

REMARKS

Applicants offer no further amendment to claims 12-22, 38 and 40 as currently pending since in the applicants' view these claims define an invention which is not rendered obvious by the combination of newly cited prior art references La Porta et al (US5509010) and La Porta et al (US5434852). By way of example, neither of these references teaches the feature of arranging the network adaptors into a plurality of clusters nor that interconnection of a call on a narrowband trunk is independently controlled by either of the at least two call servers. It should be understood that applicants have been unable to locate many other of the claim limitations in either of the two La Porta references. It can therefore be concluded that these references, when combined, do not teach or suggest all the claim limitations of either of independent claims 38 or 40 as currently pending. Consequently, the rejection of dependent claims 12-22 is moot.

While the Examiner's short-hand approach to constructing 35 U.S.C. §103(a) claims rejections is admired, it is not appropriate. To substantiate a U.S.C. §103(a) rejection of any claim, it is incumbent on the Examiner to show that the prior art references, when combined, teach or suggest all the claim limitations. Therefore, it is necessary for the Examiner to point out where in the prior art references one can find a teaching or suggestion of each of the claim limitations. It is not sufficient nor is it appropriate for the Examiner to make broad sweeping generalizations as to what the content of the prior art references purportedly teach or suggest thereby leaving it to the applicant to second-guess what the Examiner is actually alleging. This has been a characteristic of the examination procedure to date as has been the fact that on a number of occasions when the applicants have presented claims to subject matter that the Examiner has indicated as being allowable, the Examiner then seeks new prior art on which to construct new rejections.

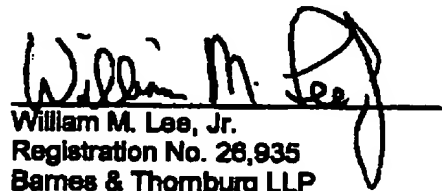
In the event that the Examiner intends to issue a further office action maintaining the new grounds of rejection relating to the currently pending claims, the applicants request that, in order that the applicants have a fair and reasonable opportunity to respond to these grounds of rejection, the Examiner clearly and unambiguously identifies where in the two La Porta prior art references one can find a teaching or suggestion of each of the claim limitations of claims 38 & 40. The applicants are also of the view that it would be inappropriate to make

any such further office action final since the issuance of such further office action would not be as a consequence of the applicants' actions. The applicants have done their utmost to understand the Examiner's new grounds of rejection and to respond to them.

For the reasons given above, it is submitted that the invention as defined by the claims is patentable over the prior art cited and applicants look forward to receiving a Notice of Allowance in due course.

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Respectfully submitted,



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